E-COMMERCE & INTERNET LAW: TREATISE WITH FORMS 2D 2019

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NEW AND IMPORTANT FEATURES FOR 2019 NOT FOUND ELSEWHERE!

The Preeminent Internet and Mobile Law Treatise from a leading Internet litigator – now a 5 volume set!
Key Features of E-Commerce & Internet Law

- The California Consumer Privacy Act, GDPR, California IoT security statute, Vermont data broker registration law, Ohio safe harbor statute and other important privacy and cybersecurity laws
- Understanding conflicting law on mobile contract formation, unconscionability and enforcement of arbitration and class action waiver clauses
- The most comprehensive analysis of the TCPA’s application to text messaging and its impact on litigation found anywhere
- Complete analysis of the Cybersecurity Information Sharing Act (CISA), state security breach statutes and regulations, and Defend Trade Secrets Act (DTSA) and their impact on screen scraping and database protection, cybersecurity information sharing and trade secret protection, privacy obligations and the impact that Terms of Use and other internet and mobile contracts may have in limiting the broad exemption from liability otherwise available under CISA
- Comprehensive and comparative analysis of the platform liability of Internet, mobile and cloud site owners, and service providers, for user content and misconduct under state and federal law
- Understanding the laws governing SEO and SEM and their impact on e-commerce vendors, including major developments involving internet advertising and embedded and sponsored links
- AI, screen scraping and database protection
- Strategies for defending cybersecurity breach and data privacy class action suits
- Copyright and Lanham Act fair use, patentable subject matter, combating genericide, right of publicity laws governing the use of a person’s images and attributes, initial interest confusion, software copyrightability, damages in internet and mobile cases, the use of icons in mobile marketing, new rules governing fee awards, and the applicability and scope of federal and state safe harbors and exemptions
- How to enforce judgments against foreign domain name registrants
- Valuing domain name registrations from sales data
- Compelling the disclosure of the identity of anonymous and pseudonymous tortfeasors and infringers
- Exhaustive statutory and case law analysis of the Digital Millennium Copyright Act, the Communications Decency Act (including exclusions created by FOSTA-SESTA), the Video Privacy Protection Act, and Illinois Biometric Privacy Act
- Practical tips, checklists and forms that go beyond the typical legal treatise
- Clear, concise, and practical analysis

AN ESSENTIAL RESOURCE FOR ANY INTERNET AND MOBILE, INTELLECTUAL PROPERTY OR DATA PRIVACY/ CYBERSECURITY PRACTICE

E-Commerce & Internet Law is a comprehensive, authoritative work covering law, legal analysis, regulatory issues, emerging trends, and practical strategies. It includes practice tips and forms, nearly 10,000 detailed footnotes, and references to hundreds of unpublished court decisions, many of which are not available elsewhere. Its unique organization facilitates finding quick answers to your questions.

The updated new edition offers an unparalleled reference and practical resource. Organized into five sectioned volumes, the 59 chapters cover:

- Sources of Internet Law and Practice
- Intellectual Property
- Licenses and Contracts
- Data Privacy, Cybersecurity and Advertising
- The Conduct and Regulation of E-Commerce
- Internet Speech, Defamation, Online Torts and the Good Samaritan Exemption
- Obscenity, Pornography, Adult Entertainment and the Protection of Children
- Theft of Digital Information and Related Internet Crimes
- Platform liability for Internet Sites and Services (Including Social Networks, Blogs and Cloud services)
- Civil Jurisdiction and Litigation

Distinguishing Features

- Clear, well written and with a practical perspective based on how issues actually play out in court (not available anywhere else)
- Exhaustive analysis of circuit splits and changes in the law combined with a common sense, practical approach for resolving legal issues, doing deals, documenting transactions and litigating and winning disputes
- Covers laws specific to the Internet and explains how the laws of the physical world apply to internet and mobile transactions and liability risks
- Addresses both law and best practices
- Comprehensive treatment of intellectual property, data privacy and mobile and Internet security breach law
Chapter 8. Internet Patents
10. Misappropriation of Trade Secrets in Cyberspace
11. Employer Rights in the Creation of Protection of Internet-Related Intellectual Property
12. Privacy and Publicity Rights of Celebrities and Others in Cyberspace
13. Idea Protection and Misappropriation

Part III. Licenses and Contracts
14. Documenting Internet Transactions: Introduction to Drafting License Agreements and Contracts
15. Drafting Agreements in Light of Model and Uniform Contract Laws: UCITA, the UETA, Federal Legislation and the EU Distance Sales Directive
16. Internet Licenses: Rights Subject to License and Limitations Imposed on Content, Access and Development
17. Licensing Pre-Existing Content for Use Online: Music, Literary Works, Video, Software and User Generated Content Licensing Pre-Existing Content
18. Drafting Internet Content and Development Licenses
19. Website Development and Hosting Agreements
20. Website Cross-Promotion and Cooperation: Co-Branding, Widget and Linking Agreements
21. Obtaining Assent in Cyberspace: Contract Formation for Click-Through and Other Unilateral Contracts
22. Structuring and Drafting Website Terms and Conditions
23. ISP Service Agreements

Part IV. Privacy, Security and Internet Advertising
25. Introduction to Consumer Protection in Cyberspace
26. Data Privacy
27. Cybersecurity: Information, Network and Data Security
28. Advertising in Cyberspace

Part V. The Conduct and Regulation of Internet Commerce
30. Online Gambling
31. Online Financial Transactions and Payment Mechanisms
32. Online Securities Law
33. Taxation of Electronic Commerce
34. Antitrust Restrictions on Technology Companies and Electronic Commerce
35. State and Local Regulation of the Internet

Part VI. Internet Speech, Defamation, Online Torts and the Good Samaritan Exemption
38. Tort and Related Liability for Hacking, Cracking, Computer Viruses, Disabling Devices and Other Network Disruptions
39. E-Commerce and the Rights of Free Speech, Press and Expression In Cyberspace

Part VII. Obscenity, Pornography, Adult Entertainment and the Protection of Children
40. Child Pornography and Obscenity
41. Laws Regulating Non-Obscene Adult Content Directed at Children
42. U.S. Jurisdiction, Venue and Procedure in Obscenity and Other Internet Crime Cases

Part VIII. Theft of Digital Information and Related Internet Crimes
43. Detecting and Retrieving Stolen Corporate Data
44. Criminal and Related Civil Remedies for Software and Digital Information Theft
45. Crimes Directed at Computer Networks and Users: Viruses and Malicious Code, Service Disabling Attacks and Threats Transmitted by Email

Part IX. Liability of Internet Sites and Service (Including Social Networks and Blogs)
48. Assessing and Limiting Liability Through Policies, Procedures and Website Audits
49. The Liability of Platforms (including Website Owners, App Providers, eCommerce Vendors, Cloud Storage and Other Internet and Mobile Service Providers) for User Generated Content and Misconduct
50. Cloud, Mobile and Internet Service Provider Liability and Compliance with Subpoenas and Court Orders
51. Web 2.0 Applications: Social Networks, Blogs, Wiki and UGC Sites

Part X. Civil Jurisdiction and Litigation
52. General Overview of Cyberspace Jurisdiction
53. Personal Jurisdiction in Cyberspace
54. Venue and the Doctrine of Forum Non Conveniens
55. Choice of Law in Cyberspace
56. Internet ADR
57. Internet Litigation Strategy and Practice
58. Electronic Business and Social Network Communications in the Workplace, in Litigation and in Corporate and Employer Policies
59. Use of Email in Attorney-Client Communications

"Should be on the desk of every lawyer who deals with cutting edge legal issues involving computers or the Internet.”
Jay Monahan
General Counsel, ResearchGate
NEW AND IMPORTANT FEATURES FOR 2019

- A comprehensive analysis of the California Consumer Information Privacy Act, California’s Internet of Things (IoT) security statute, Vermont’s data broker registration law, Ohio’s safe harbor for companies with written information security programs, and other new state laws governing cybersecurity (chapter 27) and data privacy (chapter 26)
- An exhaustive analysis of FOSTA-SESTA and what companies should do to maximize CDA protection in light of these new laws (chapter 37)
- The CLOUD Act (chapter 50)
- Understanding the TCPA after ACA Int’l and significant new cases & circuit splits (chapter 29)
- Fully updated 50-state compendium of security breach notification laws, with a strategic approach to handling notice to consumers and state agencies (chapter 27)
- Platform liability and statutory exemptions and immunities (including a comparison of “but for” liability under the CDA and DMCA, and the latest law on secondary trademark and patent liability) (chapter 49)
- Applying the single publication rule to websites, links and uses on social media (chapter 37)
- The complex array of potential liability risks from, and remedies for, screen scraping, database protection and use of AI to gather data and information online (chapter 5)
- State online dating and revenge porn laws (chapter 51)
- Circuit splits on Article III standing in cybersecurity litigation (chapter 27)
- Revisiting sponsored link, SEO and SEM practices and liability (chapter 9)
- Website and mobile accessibility (chapter 48)
- The Music Modernization Act’s Impact on copyright preemption and DMCA protection for pre-1972 musical works (chapter 4)
- Compelling the disclosure of passwords and biometric information to unlock a mobile phone, tablet or storage device (chapter 50)
- Cutting through the jargon to make sense of clickwrap, browsewrap, scrollwrap and sign-in wrap agreements (and what many courts and lawyers get wrong about online contract formation) (chapter 21)
- The latest case law, trends and strategy for defending cybersecurity and data privacy class action suits (chapters 25, 26, 27)
- Click fraud (chapter 28)
- Updated Defend Trade Secrets Act and UTSA case law (chapter 10)
- Drafting enforceable arbitration clauses and class action waivers (with new sample provisions) (chapter 22)
- Applying the First Sale Doctrine to the sale of digital goods and information (chapter 16)
- The GDPR, ePrivacy Directive and transferring data from the EU/EEA (by Francoise Gilbert) (chapter 26)
- Patent law (updated by Josh Raskin) (chapter 8)
- Music licensing (updated by Tucker McCrady) (chapter 17)
- Mobile, Internet and Social Media contests & promotions (updated by Ed Chansky) (chapter 28)
- Conducting a risk assessment and creating a Written Information Security Assessment Plan (WISP) (by Thomas J. Smedinghoff) (chapter 27)